

By the Committee on Children, Families, and Elder Affairs; and
Senator Storms

586-02449-11

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1 A bill to be entitled

2 An act relating to the Department of Children and
3 Family Services; amending s. 20.04, F.S.; changing the
4 name of the department to the Department of Children
5 and Families; authorizing the department to establish
6 circuits and regions headed by circuit administrators
7 and regional directors; amending s. 20.19, F.S.;
8 revising provisions relating to the establishment of
9 the department; providing for operating units known as
10 circuits and regions based on judicial circuits;
11 deleting provisions relating to the program directors
12 for mental health and substance abuse, the service
13 districts, the membership of community alliances, and
14 the prototype region; amending ss. 20.43, 39.01, and
15 394.78, F.S.; conforming cross-references; repealing
16 s. 402.35, F.S., relating to the application of
17 Department of Management Services' rules; amending s.
18 420.622, F.S.; deleting the requirement for the
19 Governor to appoint an executive director to the State
20 Office on Homelessness; providing for legislation to
21 conform the Florida Statutes to changes made by the
22 act; providing an effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:

25
26 Section 1. Subsection (4) of section 20.04, Florida
27 Statutes, is amended to read:

28 20.04 Structure of executive branch.—The executive branch
29 of state government is structured as follows:

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30 (4) Within the Department of Children and Families ~~Family~~
31 ~~Services~~ there are organizational units called "program
32 offices," headed by program directors, and geographical units
33 called "circuits" and "regions," headed by circuit
34 administrators and regional directors, respectively.

35 Section 2. Section 20.19, Florida Statutes, is amended to
36 read:

37 (Substantial rewording of section. See
38 s. 20.19, F.S., for present text.)

39 20.19 Department of Children and Families.—There is created
40 a Department of Children and Families.

41 (1) SECRETARY OF CHILDREN AND FAMILIES.—

42 (a) The head of the department is the Secretary of Children
43 and Families. The Governor shall appoint the secretary, who is
44 subject to confirmation by the Senate. The secretary serves at
45 the pleasure of the Governor.

46 (b) The secretary is responsible for planning,
47 coordinating, and managing the delivery of all services that are
48 the responsibility of the department.

49 (c) The secretary shall appoint a deputy secretary who
50 shall act in the absence of the secretary. The deputy secretary
51 is directly responsible to the secretary, performs such duties
52 as are assigned by the secretary, and serves at the pleasure of
53 the secretary.

54 (d) The secretary may establish assistant secretary
55 positions as necessary to administer the requirements of this
56 section and, at a minimum, shall establish an Assistant
57 Secretary for Substance Abuse and Mental Health. All persons
58 appointed to such positions serve at the pleasure of the

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59 secretary.

60 (2) SERVICES PROVIDED.—

61 (a) The department may establish program offices, each of
62 which shall be headed by a program director who shall be
63 appointed by and serve at the pleasure of the secretary.

64 (b) The following program offices shall be established:

- 65 1. Adult protection.
- 66 2. Child care.
- 67 3. Domestic violence.
- 68 4. Economic self-sufficiency.
- 69 5. Family safety.
- 70 6. Homelessness.
- 71 7. Mental health.
- 72 8. Refugee services.
- 73 9. Substance abuse.

74 (c) Program offices may be consolidated, restructured, or
75 rearranged by the secretary, in consultation with the Executive
76 Office of the Governor, if such consolidation, restructuring, or
77 rearranging supports the functions and activities and achieves
78 the outcomes required by state and federal laws and rules. The
79 secretary may appoint additional program directors as necessary
80 for the effective management of program services provided by the
81 department.

82 (3) OPERATING UNITS.—

83 (a) The department shall plan and administer its program
84 services through operating units that conform to the geographic
85 boundaries of the judicial circuits established in s. 26.021.
86 The department may also establish regional divisions consisting
87 of one or more judicial circuit operating units.

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88 (b) The secretary may appoint a circuit administrator for
89 each circuit and a regional director for each region who shall
90 serve at the pleasure of the secretary and perform such duties
91 as are assigned by the secretary.

92 (4) COMMUNITY ALLIANCES AND PARTNERSHIPS AUTHORIZED.—The
93 department may, in consultation with local communities,
94 establish a community alliance and other community partnerships
95 consisting of stakeholders, community leaders, client
96 representatives, and those who fund human services in each
97 judicial circuit to provide a focal point for community
98 participation and governance of community-based services. The
99 membership of the community alliance and partnerships must
100 represent the diversity of the community. The secretary may also
101 establish advisory groups at the state level as necessary to
102 ensure and enhance communication and serve as a liaison with
103 stakeholders, community leaders, and client representatives.

104 (a) The duties of a community alliance and partnership may
105 include, but are not limited to:

106 1. Joint planning for resource use in the community,
107 including resources appropriated to the department, and any
108 funds that local funding sources choose to provide.

109 2. Needs assessment and establishment of community
110 priorities for service delivery.

111 3. Determining community outcome goals to supplement state-
112 required outcomes.

113 4. Serving as a catalyst for community resource
114 development.

115 5. Providing for community education and advocacy on issues
116 related to service delivery.

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117 6. Promoting prevention and early intervention services.

118 (b) If community alliances and partnerships are
119 established, the department must ensure, to the greatest extent
120 possible, that the formation of each community alliance and
121 partnership builds on the strengths of the existing community
122 human services infrastructure.

123 (c) Members of the community alliances, partnerships, and
124 advisory groups shall serve without compensation, but are
125 entitled to reimbursement for per diem and travel expenses as
126 provided in s. 112.061. Payment may also be authorized for
127 preapproved child care expenses or lost wages for members who
128 are consumers of services provided by the department, and for
129 preapproved child care expenses for other members who
130 demonstrate hardship.

131 (d) Members of community alliances, partnerships, and
132 advisory groups are subject to part III of chapter 112, the code
133 of ethics for public officers and employees.

134 (e) Actions taken by community alliances, partnerships, and
135 advisory groups must be consistent with department policy and
136 state and federal laws and rules.

137 (f) Alliance, partnership, and advisory group members must
138 annually submit a disclosure statement of any interest in
139 services provided by the department to the department's
140 inspector general. Any member who has an interest in a matter
141 under consideration by the alliance or partnership must abstain
142 from voting on that matter.

143 (g) All alliance, partnership, and advisory group meetings
144 are open to the public pursuant to s. 286.011 and are subject to
145 the public-records provisions of s. 119.07(1).

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146 (5) CONSULTATION WITH COUNTIES ON MANDATED PROGRAMS.—It is
147 the intent of the Legislature that, if county governments are
148 required by law to participate in funding specified programs,
149 the department shall consult with designated representatives of
150 such governments when developing policies and service delivery
151 plans for those programs.

152 (6) BUDGET PROJECTIONS.—Each fiscal year the secretary
153 shall, in consultation with the relevant employee
154 representatives, develop projections of the number of child
155 abuse and neglect cases and shall include in the department's
156 legislative budget request a specific appropriation for funds
157 and positions for the next fiscal year in order to provide an
158 adequate number of full-time equivalent:

159 (a) Child protection investigation workers so that
160 caseloads do not exceed the Child Welfare League Standards by
161 more than two cases; and

162 (b) Child protection case workers so that caseloads do not
163 exceed the Child Welfare League Standards by more than two
164 cases.

165 Section 3. Subsection (5) of section 20.43, Florida
166 Statutes, is amended to read:

167 20.43 Department of Health.—There is created a Department
168 of Health.

169 (5) The department shall plan and administer its public
170 health programs through its county health departments and may,
171 for administrative purposes and efficient service delivery,
172 establish up to 15 service areas to carry out such duties as may
173 be prescribed by the State Surgeon General. The boundaries of
174 the service areas shall ~~be the same as, or combinations of, the~~

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175 ~~service districts of the Department of Children and Family~~
176 ~~Services established in s. 20.19 and, to the extent practicable,~~
177 ~~shall~~ take into consideration the boundaries of the jobs and
178 education regional boards.

179 Section 4. Subsection (27) of section 39.01, Florida
180 Statutes, is amended to read:

181 39.01 Definitions.—When used in this chapter, unless the
182 context otherwise requires:

183 (27) "District administrator" means the chief operating
184 officer of each service district of the department as defined in
185 s. 20.19~~(5)~~ and, where appropriate, includes any district
186 administrator whose service district falls within the boundaries
187 of a judicial circuit.

188 Section 5. Subsection (5) of section 394.78, Florida
189 Statutes, is amended to read:

190 394.78 Operation and administration; personnel standards;
191 procedures for audit and monitoring of service providers;
192 resolution of disputes.—

193 ~~(5) In unresolved disputes regarding this part or rules~~
194 ~~established pursuant to this part, providers and district health~~
195 ~~and human services boards shall adhere to formal procedures~~
196 ~~specified under s. 20.19(8)(n).~~

197 Section 6. Section 402.35, Florida Statutes, is repealed.

198 Section 7. Subsection (1) of section 420.622, Florida
199 Statutes, is amended to read:

200 420.622 State Office on Homelessness; Council on
201 Homelessness.—

202 (1) The State Office on Homelessness is created within the
203 Department of Children and Families ~~Family Services~~ to provide

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204 interagency, council, and other related coordination on issues
205 relating to homelessness. ~~An executive director of the office~~
206 ~~shall be appointed by the Governor.~~

207 Section 8. During the 2012 regular legislative session, the
208 Legislature shall adopt legislation to conform the Florida
209 Statutes to the provisions of this act.

210 Section 9. This act shall take effect upon becoming a law.